

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
GARRETT SCOTT WHEELEN,
Defendant.

No. 1:21-cr-00105-TLN

UNITED STATES OF AMERICA,
Plaintiff,
v.
GARRETT SCOTT WHEELEN,
Defendant.

No. 1:24-CR-00109-NODJ-BAM

RELATED CASE ORDER

Plaintiff filed a Notice of Related Cases on May 23, 2024. Examination of the above-captioned actions reveals they are related within the meaning of Local Rule 123 (E.D. Cal. 1997). Pursuant to Rule 123 of the Local Rules of the United States District Court for the Eastern District of California, two actions are related when they involve the same parties and are based on the same or similar claim(s); when they involve the same transaction, property, or event; or when

1 they “involve similar questions of fact and the same question of law and their assignment to the
2 same Judge . . . is likely to effect a substantial savings of judicial effort.” L.R. 123(a). Further,

3 [i]f the Judge to whom the action with the lower or lowest number
4 has been assigned determines that assignment of the actions to a
single Judge is likely to effect a savings of judicial effort or other
economies, that Judge is authorized to enter an order reassigning all
5 higher numbered related actions to himself or herself.

6 L.R. 123(c).

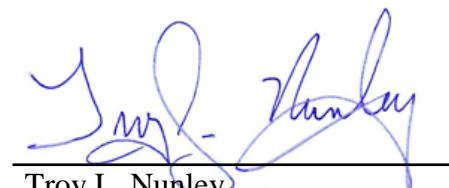
7 The Court concludes the cases involve the same questions of law and fact as they arose
8 from the same conduct occurring on or about May 1, 2024. Reassignment of the cases to the
9 same district judge is “likely to effect a substantial savings of judicial effort” because it will
10 necessarily avoid the “substantial duplication of labor” by the judiciary of this district, including
11 any issues regarding discovery or admissibility of evidence and any questions of law that may
12 arise thereto. *See* E.D. Cal. L.R. 123(a)(3)-(4).

13 Relating the cases under Local Rule 123, however, merely has the result that both actions
14 are assigned to the same judge, it does not consolidate the actions. Under the regular practice of
15 this Court, related cases are generally assigned to the judge and magistrate judge to whom the
16 first filed action was assigned.

17 IT IS THEREFORE ORDERED that the action denominated 1:24-CR-00109-NODJ-
18 BAM is reassigned to District Judge Troy L. Nunley, and the caption shall read 1:24-CR-00109-
19 TLN. Any dates currently set in 1:24-CR-00109-NODJ-BAM are hereby VACATED. IT IS
20 FURTHER ORDERED that the Clerk of Court adjust the assignment of criminal cases to
21 compensate for this reassignment.

22 IT IS SO ORDERED.

23 Date: May 29, 2024



24 _____
25 Troy L. Nunley
26 United States District Judge
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